

YOUNG / IN STATE CUSTODY

FILED

United States District Court JUL 06 2016

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXASBY LIV DEPUTY

UNITED STATES OF AMERICA

V.

Jeremy MCGOWAN

CRIMINAL COMPLAINT

CASE NUMBER: 7:16-MJ-295

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 4, 2016 in MIDLAND county, in the WESTERN District of TEXAS, defendant(s) did, (Trace Statutory Language of Offense)

knowingly and intentionally transferred obscene material to a minor to wit: a photograph of his penis to an individual who has not obtained the age of 16 years by means of interstate commerce specifically a cellular telephone and utilizing an application commonly known as "Snapchat" and production of visual depictions of minors engaging in sexually explicit conduct for the purpose of producing any visual depiction of such conduct knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce.

in violation of Title 18, United States Code, Section(s) 1470, 2251(a).

I further state that I am a(n) MPD DETECTIVE and that this complaint is based on the following facts:

Official Title

SEE ATTACHMENT

Continued on the attached Sheet and made a part hereof:

☒ Yes ☐ No

Signature of Complainant

Sworn before me and subscribed in my presence,

July 6, 2016

Date

at Midland Texas

City and State

U.S. MAGISTRATE JUDGE DAVID COUNTS

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, James Dolan, a Detective with the Midland Texas Police Department, currently assigned to the Drug Enforcement Administration (DEA) as a Task Force Officer (TFO), being duly sworn state:

1. I have successfully completed extensive training emphasizing narcotics investigation and law enforcement. I have been employed by the Midland Texas Police Department as a police officer and detective for approximately 11 ½ years and have participated in numerous narcotics investigations involving firearms violations. I have also attended courses based on investigating Narco-Terrorism and interdiction. In addition, I have operated in an undercover capacity during investigations where narcotics were purchased.
2. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced law enforcement officers, and detectives of the Midland Police Department. Since this complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known by me in the investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause. Based on the facts cited in the body of this affidavit, I believe that probable cause exists that **Jeremy MCGOWAN** knowingly and intentionally transferred obscene material to wit: a photograph of his penis to an individual who has not obtained the age of 16 years, knowing that the other individual had not attained the age of 16 years, by means of interstate commerce specifically a cellular telephone and utilizing an application commonly known as "Snapchat", in violation of Title 18, United States Code, Section 1470.

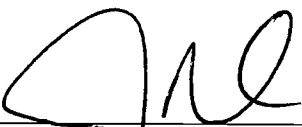
3. Additionally, based on the facts cited in the body of this affidavit, I believe that probable cause exists that **Jeremy MCGOWAN** did employ, use, persuade, induce, entice, and coerce any minor, specifically Jane Doe-1, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce; using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by cellular telephone; the visual depiction was transported using any means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Sections 2251(a).
4. On Monday, July 4, 2016, at roughly 0131 hours, Officers of the Midland Police Department responded to a check person call. In the initial call, the complainant John Doe-1 requested that officers contact the occupant of a black SUV was in the alley behind his residence. John Doe-1 explained that his daughter Jane Doe-1 had been in communication with a registered sex offender, Jeremy Shawn McGowan, that day and that McGowan was planning to pick Jane Doe-1 up that night. Jane Doe-1 is fourteen years of age.
5. Officers responded to the area and located a blue 1996 Chevrolet SUV. The vehicle was occupied only by McGowan. McGowan was detained while officers obtained further information from the John Doe-1. John Doe-1 and his wife Jane Doe-2 explained that they take Jane Doe-1's phone from her at 2200 hours each night. After doing so on July 3, 2016, they learned that Jane Doe-1 and McGowan had been communicating via the Snapchat application and making arrangements for McGowan to pick Jane Doe-1 up. Jane Doe-1 informed officers that McGowan had initiated contact with her on Instagram earlier in the day. Jane Doe-1 stated that she and McGowan also communicated on Snapchat. All

communication occurred with Jane Doe-1 utilizing her cellular telephone. Jane Doe-1 stated that during their contact, McGowan asked her if she wanted to “mess around” with him. Jane Doe-1 stated that McGowan offered to pick her up late at night and give her alcoholic beverages. Jane Doe-1 also stated that she sent nude photographs of her breast and vagina to McGowan and that McGowan sent photographs of his penis to her.

6. McGowan was detained for investigation and his vehicle was placed under police impound through Action Wrecker. During a subsequent impound inventory of McGowan’s vehicle, Officers observed an ice chest with fresh ice, six cans of Bud Light, and six bottles of Bud Light “Straw-ber-rita Splash”. Officers also discovered a single condom inside of McGowan’s vehicle.
7. McGowan was transported to the Midland Police Department for an interview with a Detective. At the onset of that interview, McGowan was advised of his rights, affirmed that he understood them, and waived his rights to discuss the investigation with the detective. During the interview, McGowan stated that he did not know Jane Doe-1 was underage but confirmed that they had communicated through Instagram, Snapchat, and text messages throughout the day of July 3, 2016. McGowan stated that he did not ask Jane Doe-1 how old she was, but that the thought had crossed his mind that she may not be seventeen years of age. McGowan stated that he went to high school with Jane Doe-1’s mother (Jane Doe-2) and that they (Jane Doe-2 and McGowan) communicate on occasion through Facebook. McGowan admitted that he did in fact receive photographs from Jane Doe-1 of Jane Doe-1’s breasts and vagina. McGowan also admitted that he sent, utilizing his cellular telephone and the Snapchat Application, photographs of his penis to Jane Doe-1. McGowan stated that he and Jane Doe-1 made arrangements for him to pick her up at her residence after 0100 hours on July 4, 2016.
8. As McGowan exchanged sexually explicit images with a fourteen year old child, agreed to meet with her at her own residence after 0100 hours, stated that he was unsure of her age and

that he had concerns that she may be younger than seventeen, and arrived at her residence in possession of alcoholic beverages and a condom, it is believed that McGowan knowingly solicited Jane Doe-1 through electronic message services to meet him McGowan with the intent that Jane Doe-1 would engage in sexual contact, sexual intercourse, and/or deviate sexual intercourse.

9. Based on my training, expertise and experience, I believe **Jeremy MCGOWAN** knowingly and intentionally transferred obscene material to wit: a photograph of his penis to an individual who has not obtained the age of 16 years, knowing that the other individual had not attained the age of 16 years, by means of interstate commerce specifically a cellular telephone and utilizing an application commonly known as "Snapchat", in violation of Title 18, United States Code, Section 1470.
10. Based on my training, expertise and experience, I believe **Jeremy MCGOWAN** did employ, use, persuade, induce, entice, and coerce any minor, specifically Jane Doe-1, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce; using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by cellular telephone; the visual depiction was transported using any means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Sections 2251(a).


James Dolan
Task Force Officer
Drug Enforcement Administration

7/6/16
Date

Sworn to and subscribed before me in my presence.



David Counts

United States Magistrate Judge

7/6/2016
Date